

REMARKS

In order to advance the prosecution of this application, Applicants are canceling pending Claims 1-42 and adding new Claims 43-49. These new claims correspond to the claims in the corresponding Japanese application for which a patent has been granted.

Applicant will now address each of the Examiner's rejections in the order in which they appear in the Office Action.

Claim Rejections - 35 USC §103

Claims 1, 2, 5-7, 9-13, 15-17, 19, 21-42

In the Office Action, the Examiner rejects Claims 1, 2, 5-7, 9-13, 15-17, 19, 21-42 under 35 USC §103(a) as being unpatentable over Ryosuke et al. (JP 2003-087544) and further in view of Hideki (JP 2002-352190). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, as discussed above, Applicant has canceled the pending claims and added new Claims 43-49. It is respectfully submitted that Claims 43-49 are not disclosed by these cited references.

More specifically, new independent Claim 43 is directed to an image processing terminal apparatus and recites the structure of the apparatus for determining position information. For example, in the claimed invention, light-emitting elements emit light from above in a direction substantially perpendicular to a surface of a document and emit light in a direction substantially parallel to the surface of a document. New independent Claim 49 is directed to a method of image processing in an image processing terminal and includes steps with similar features.

It is respectfully submitted that these features are not taught in Ryosuke (or in Hideki).

Furthermore, in the claimed invention, position information is calculated based on image information selected from at least two areas of a current frame. In contrast, Ryosuke teaches preparing position information by comparing the image stored last into the memory with a partial image of the current frame (see e.g. Abstract in Ryosuke). Hence, the two images are from two temporally different frames.

Therefore, new Claims 43-49 are not disclosed or suggested by Ryosuke or Hideki, and Claims 43-49 are patentable over these cited references.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 3 and 4

The Examiner also rejects Claims 3 and 4 under 35 USC §103(a) as being unpatentable over Ryosuke and Hideki and further in view of Ono (US 2003/0020814). This rejection is also respectfully traversed.

As explained above, Claims 3 and 4 have been canceled in light of new Claims 43-49. New Claims 43-49 are allowable over the cited references for at least the reasons discussed above.

Further, Ono is directed to a camera. See e.g. Col. 1 in Ono. In contrast, the present invention and claims are directed to a scanner. The resolution and use of a light source in the two devices is very different. Hence, Ono is not relevant to the present invention.

Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 8, 14, 18 and 20

The Examiner also rejects Claims 8, 14, 18 and 20 under 35 USC §103(a) as being unpatentable over Ryosuke and Hideki and further in view of Faulkerson (US 4,804,949). This

rejection is also respectfully traversed.

As explained above, Claims 8, 14, 18 and 20 have been canceled in light of new Claims 43-49. New Claims 43-49 are allowable over the cited references for at least the reasons discussed above.

Accordingly, it is respectfully requested that this rejection be withdrawn.

New Claims

As explained above, Applicant is also adding new Claims 43-49. These claims are allowable for at least the reasons discussed above. Accordingly, it is respectfully requested that these new claims be entered and allowed.

No fee is believed due for these new claims. If a fee should be due, please charge our deposit account 50/1039.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, or for the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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